

(2) CONSPICUOUS STATEMENTS.—Section 4(b) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 614(b)), is amended—

(A) by striking “(b) It shall” and inserting the following:

“(b) CONSPICUOUS STATEMENTS REQUIRED.—“(1) IN GENERAL.—It shall”;

(B) in paragraph (1) (as so designated), in the second sentence, by striking “The Attorney General” and inserting the following:

“(2) DEFINING CONSPICUOUS STATEMENTS.—“(A) IN GENERAL.—Subject to the requirements of this paragraph, the Attorney General”;

(C) in paragraph (2) (as so designated), by adding at the end the following:

“(B) INFORMATIONAL MATERIALS.—A conspicuous statement required to be placed in any informational material under this subsection shall—

“(i) be clearly readable;

“(ii) have a font color that contrasts with the background color; and

“(iii) be placed at the top of the first page of the informational material.

“(C) PAID PUBLICATION SUPPLEMENTS.—

“(i) IN GENERAL.—Any informational material that is a paid publication supplement shall include the following disclosure as a part of the conspicuous statement required under this subsection: ‘This supplement was paid for, and prepared on behalf of, [name of agent of foreign principal], an official publication of [name of foreign principal].’ (The blank space being appropriately filled in).

“(ii) CERTAIN COVERED PUBLICATIONS.—If a covered publication in which any informational material that is a paid publication supplement is published is not involved in the creation of the paid publication supplement, the disclosure required under clause (i) shall include the following statement: ‘[Name of covered publication] was not involved in the creation of this supplement.’ (The blank space being appropriately filled in).”.

SA 1558. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C of the amendment, add the following:

TITLE VI—TRANSNATIONAL REPRESSION ACCOUNTABILITY AND PREVENTION

SECTION 3601. SHORT TITLE.

This title may be cited as the “Transnational Repression Accountability and Prevention Act of 2021” or as the “TRAP Act of 2021”.

SEC. 3602. FINDINGS.

Congress makes the following findings:

(1) The International Criminal Police Organization (INTERPOL) works to prevent and fight crime through enhanced cooperation and innovation on police and security matters, including kleptocracy, counterterrorism, cybercrime, counternarcotics, and transnational organized crime.

(2) United States membership and participation in INTERPOL advances the national security and law enforcement interests of the United States related to combating

kleptocracy, terrorism, cybercrime, narcotics, and transnational organized crime.

(3) Article 2 of INTERPOL’s Constitution states that the organization aims “[to] ensure and promote the widest possible mutual assistance between all criminal police authorities . . . in the spirit of the ‘Universal Declaration of Human Rights’”.

(4) Article 3 of INTERPOL’s Constitution states that “[i]t is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character”.

(5) These principles provide INTERPOL with a foundation based on respect for human rights and avoidance of politically motivated actions by the organization and its members.

(6) Some INTERPOL member countries have used INTERPOL’s databases and processes, including Notice and Diffusion mechanisms and the Stolen and Lost Travel Document Database, for activities of a political or other unlawful character and in violation of international human rights standards, including making requests to INTERPOL for interventions related to purported charges of ordinary law crimes that are fabricated for political or other unlawful motives.

(7) According to the Justice Manual of the United States Department of Justice, “[i]n the United States, national law prohibits the arrest of the subject of a Red Notice issued by another INTERPOL member country, based upon the notice alone” and requires the existence of a valid extradition treaty between the requesting country and the United States, a valid request for provisional arrest of the subject individual, and an arrest warrant issued by a United States District Court based on a complaint filed by the United States Attorney’s Office of the subject jurisdiction.

SEC. 3603. STATEMENT OF POLICY.

It is the policy of the United States:

(1) To use the voice, vote, and influence of the United States, as appropriate, within INTERPOL’s General Assembly and Executive Committee to promote the following objectives aimed at improving the transparency of INTERPOL and ensuring its operation consistent with its Constitution, particularly articles 2 and 3, and Rules on the Processing of Data:

(A) Support INTERPOL’s reforms enhancing the screening process for Notices, Diffusions, and other INTERPOL communications to ensure they comply with INTERPOL’s Constitution and Rules on the Processing of Data (RPD).

(B) Support and strengthen INTERPOL’s coordination with the Commission for Control of INTERPOL’s Files (CCF) in cases in which INTERPOL or the CCF has determined that a member country issued a Notice, Diffusion, or other INTERPOL communication against an individual in violation of articles 2 or 3 of the INTERPOL Constitution, or the RPD, to prohibit such member country from seeking the publication or issuance of any subsequent Notices, Diffusions, or other INTERPOL communication against the same individual based on the same set of claims or facts.

(C) Support candidates for positions within INTERPOL’s structures, including the Presidency, Executive Committee, General Secretariat, and CCF who have demonstrated experience relating to and respect for the rule of law.

(D) Seek to require INTERPOL in its annual report to provide a detailed account of the following information, disaggregated by member country or entity:

(i) The number of Notice requests, disaggregated by color, that it received.

(ii) The number of Notice requests, disaggregated by color, that it rejected.

(iii) The category of violation identified in each instance of a rejected Notice.

(iv) The number of Diffusions that it cancelled without reference to decisions by the CCF.

(v) The sources of all INTERPOL income during the reporting period.

(E) Support greater transparency by the CCF in its annual report by providing a detailed account of the following information, disaggregated by country:

(i) The number of admissible requests for correction or deletion of data received by the CCF regarding issued Notices, Diffusions, and other INTERPOL communications.

(ii) The category of violation alleged in each such complaint.

(2) Put in place procedures, as appropriate, for sharing with relevant departments and agencies credible information of likely attempts by member countries to abuse INTERPOL communications for politically motivated or other unlawful purposes so that, as appropriate, action can be taken in accordance with their respective institutional mandates.

SEC. 3604. REPORT ON THE ABUSE OF INTERPOL SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, in coordination with the Secretary of Homeland Security, the Secretary of State, and the heads of other relevant United States Government departments or agencies shall submit to the appropriate committees of Congress a report containing an assessment of how INTERPOL member countries abuse INTERPOL Red Notices, Diffusions, and other INTERPOL communications for political motives and other unlawful purposes within the past three years.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of the most common tactics employed by member countries in conducting such abuse, including the crimes most commonly alleged and the INTERPOL communications most commonly exploited.

(2) An assessment of the adequacy of INTERPOL mechanisms for challenging abusive requests, including the Commission for the Control of INTERPOL’s Files (CCF), and any shortcoming the United States believes should be addressed.

(3) A description of any incidents in which the Department of Justice assesses that United States courts and executive departments or agencies have relied on INTERPOL communications in contravention of existing law or policy to seek the detention of individuals or render judgments concerning their immigration status or requests for asylum, with holding of removal, or convention against torture claims and any measures the Department of Justice or other executive departments or agencies took in response to these incidents.

(4) A description of how the United States monitors and responds to likely instances of abuse of INTERPOL communications by member countries that could affect the interests of the United States, including citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(5) A description of what actions the United States takes in response to credible information it receives concerning likely

abuse of INTERPOL communications targeting employees of the United States Government for activities they undertook in an official capacity.

(6) A description of United States advocacy for reform and good governance within INTERPOL.

(7) A strategy for improving interagency coordination to identify and address instances of INTERPOL abuse that affect the interests of the United States, including international respect for human rights and fundamental freedoms, citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(8) An estimate of the costs involved in establishing such improvements.

(c) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form and be published in the Federal Register, but may include a classified annex, as appropriate.

(d) BRIEFING.—Not later than 180 days after the submission of the report in subsection (a), and every 180 days after for two years, the Department of Justice, in coordination with the Department of Homeland Security, the Department of State, and the heads of other relevant United States Government departments and agencies shall brief the appropriate committees of Congress on recent instances of INTERPOL abuse by member countries and United States efforts to identify and challenge such abuse, including efforts to promote reform and good governance within INTERPOL.

SEC. 3605. PROHIBITION ON DENIAL OF SERVICES.

(a) ARRESTS.—No United States Government department or agency may arrest an individual for the purpose of extradition who is the subject of an INTERPOL Red Notice or Diffusion issued by another INTERPOL member country, based solely upon the INTERPOL communication without—

(1) prior verification of the individual's eligibility for extradition under a valid bilateral extradition treaty for the specified crime or crimes;

(2) receipt of a valid request for provisional arrest from the requesting country; and

(3) the issuance of an arrest warrant in compliance with section 3184 of title 18, United States Code.

(b) REMOVAL AND TRAVEL RESTRICTIONS.—No United States Government department or agency may make use of any INTERPOL Notice, Diffusion, or other INTERPOL communication, or the information contained therein, published on behalf of another INTERPOL member country as the sole basis to detain or otherwise deprive an individual of freedom, to remove an individual from the United States, or to deny a visa, asylum, citizenship, other immigration status, or participation in any trusted traveler program of the Transportation Security Administration, without independent credible evidence supporting such a determination.

SEC. 3606. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.

The Foreign Assistance Act of 1961 is amended—

(1) in section 116 (22 U.S.C. 2151n), by adding at the end the following new subsection:

“(h) POLITICALLY MOTIVATED REPRISAL AGAINST INDIVIDUALS OUTSIDE THE COUNTRY.—The report required by subsection (d) shall include examples from credible reporting of likely attempts by countries to misuse

international law enforcement tools, such as INTERPOL communications, for politically-motivated reprisal against specific individuals located in other countries.”; and

(2) in section 502B (22 U.S.C. 2304)—

(A) by redesignating the second subsection (i) (relating to child marriage status) as subsection (j); and

(B) by adding at the end the following new subsection:

“(k) POLITICALLY MOTIVATED REPRISAL AGAINST INDIVIDUALS OUTSIDE THE COUNTRY.—The report required by subsection (b) shall include examples from credible reporting of likely attempts by countries to misuse international law enforcement tools, such as INTERPOL communications, for politically motivated reprisal against specific individuals located in other countries.”.

SEC. 3607. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on the Judiciary of the House of Representatives.

(2) INTERPOL COMMUNICATIONS.—The term “INTERPOL communications” means any INTERPOL Notice or Diffusion or any entry into any INTERPOL database or other communications system maintained by INTERPOL.

SA 1559. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REACHING AMERICA'S RURAL MINORITY BUSINESSES.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term “Agency” means the Minority Business Development Agency of the Department of Commerce.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Small Business and Entrepreneurship of the Senate;

(C) the Committee on Energy and Commerce of the House of Representatives; and

(D) the Committee on Small Business of the House of Representatives.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a historically Black college or university; or

(B) a consortium of institutions of higher education that is led by a historically Black college or university.

(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term “historically Black college or university” has the meaning given the term “part B institution” in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(5) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(6) MBDA CENTER.—The term “MBDA center” means any business center established by the Agency.

(7) MBDC AGREEMENT.—The term “MBDC agreement” means a collaborative agreement entered into between the Agency and an eligible entity under subsection (b)(2)(B).

(8) MINORITY BUSINESS ENTERPRISE.—The term “minority business enterprise” has the meaning given the term in section 1108(a) of the CARES Act (15 U.S.C. 9007(a)).

(9) RURAL AREA.—The term “rural area” means an area located outside a metropolitan statistical area (as designated by the Office of Management and Budget).

(10) RURAL BUSINESS CENTER.—The term “rural business center” means an MBDA center with the functions described in subsection (b)(3).

(11) RURAL MINORITY BUSINESS ENTERPRISE.—The term “rural minority business enterprise” means a minority business enterprise located in a rural area.

(b) BUSINESS CENTERS.—

(1) IN GENERAL.—The Agency may establish not more than 10 rural business centers.

(2) PARTNERSHIP.—

(A) IN GENERAL.—The agency shall establish each rural business center in partnership with an eligible entity in accordance with subparagraph (B).

(B) MBDC AGREEMENT.—

(i) IN GENERAL.—With respect to each rural business center established by the Agency, the Agency shall enter into a collaborative agreement with an eligible entity that provides that—

(I) the eligible entity shall provide space, facilities, and staffing for the rural business center;

(II) the Agency shall provide funding for, and oversight with respect to, the rural business center; and

(III) subject to clause (ii), the eligible entity shall match 20 percent of the amount of the funding provided by the Agency under subclause (II), which may be calculated to include the costs of providing the space, facilities, and staffing under subclause (I).

(ii) LOWER MATCH REQUIREMENT.—Based on the available resources of an eligible entity, the Agency may enter into a collaborative agreement with the eligible entity that provides that the eligible entity shall match less than 20 percent of the amount of the funding provided by the Agency under clause (i)(II).

(C) TERM.—The term of an MBDC agreement shall be 5 years.

(D) RENEWAL.—The Agency and an eligible entity may agree to extend the term of an MBDC agreement with respect to a rural business center for an additional 5 years.

(3) FUNCTIONS.—A rural business center shall—

(A) primarily serve clients that are—

(i) rural minority business enterprises; or

(ii) minority business enterprises that are located more than 50 miles from an MBDA center (other than that rural business center);

(B) focus on issues relating to—

(i) the adoption of broadband internet access service (as defined in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation), digital literacy skills, and e-commerce by rural minority business enterprises;

(ii) advanced manufacturing;

(iii) the promotion of manufacturing in the United States;

(iv) ways in which rural minority business enterprises can meet gaps in the supply